

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)
_____)

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:)

All Cases)
_____)

The Tennessee Clinic Defendants’
Assented to Motion for Extension of Time to Respond to
Ameridose’s Motion for Permission to Destroy Recalled Product

Saint Thomas Outpatient Neurosurgical Center, LLC; Howell Allen Clinic, a Professional Corporation; John W. Culclasure, MD; Debra V. Schamberg, RN; Specialty Surgery Center, Crossville, PLLC; Kenneth R. Lister, MD; Kenneth Lister, MD, PC; and Donald E. Jones, MD (collectively “the Tennessee Clinic Defendants”), with the assent of Ameridose, move for an extension of time to May 9, 2014, to file their response to Ameridose’s Motion for Permission to Destroy Recalled Product [Dkt. 1090].

In support of this Motion, the Tennessee Clinic Defendants state as follows:

1. On April 18, 2014, The Tennessee Clinic Defendants reached out to Ameridose to request some general information that would allow them to conclude whether some or all of Ameridose’s recalled medication needs to be preserved.
2. Ameridose agreed to provide some general information.
3. Ameridose and the Tennessee Clinic Defendants continue to discuss whether additional information needs to be exchanged, along with other informal ways to resolve the motion.

4. The Tennessee Clinic Defendants will not have sufficient time to (1) evaluate the information Ameridose has agreed to provide and (2) conclude discussions with Ameridose, prior to the current deadline for responding to Ameridose's motion, April 25, 2014.

5. Extending the deadline to May 9 will hopefully give the parties sufficient time to conclude their discussions, while still allowing the Court to address the motion at the May 13 status conference if the parties are unable to reach an agreement.

6. Ameridose assents to this reasonable extension.

For the foregoing reasons, the Tennessee Clinic Defendants respectfully request, with the assent of Ameridose, that the Court extend the deadline for responding to Ameridose's Motion for Permission to Destroy Recalled Product [Dkt. 1090] to May 9, 2014.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

/s/ Chris J. Tardio

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¹ Admitted pursuant to MDL Order No. 1.

² Admitted *pro hac vice*.

**CERTIFICATE OF SERVICE AND
LOCAL RULE 7.1 CERTIFICATE**

I hereby certify that I have conferred in good faith with counsel for Ameridose. Ameridose assents to the reasonable extension requested.

Further, I certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 24th day of April, 2014.

/s/ Chris J. Tardio

Chris J. Tardio